

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

Case No. 18-6028-CV-SJ-ODS

REAL PROPOERTY LOCATED AT  
6513 RIDGE ROAD, PARKVILLE,  
MISSOURI, 64152, ALONG WITH ALL ITS  
BUILDINGS, APPURTENANCES, AND  
IMPROVEMENTS; *et al.*,

*Defendants.*

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MATTHEW L. TORGESON, TRUSTEE FOR  
MATTHEW L. TORGESON TRUST

*Claimant.*

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**CLAIMANT MATTHEW L. TORGESON'S UNOPPOSED MOTION TO  
EXTEND STAY PERIOD FOR AN ADDITIONAL 90 DAYS**

COMES NOW Claimant Matthew L. Torgeson, by and through the undersigned counsel, and respectfully submits this unopposed and agreed-upon motion to extend the current stay period, which expires on February 4, 2019, for an additional 90-day period of time, to and including May 6, 2019. In further support of this motion, the claimant offers the following suggestions.

***Suggestions in Support***

1. The United States filed a Complaint seeking civil forfeiture of various defendant assets in this case (Doc. 17). Claims were filed by Michael Dingle (represented by Thomas Bradshaw), by Matthew L. Torgeson (represented by Brian Gaddy), and by Monica Haavig

(represented by John Osgood).

2. On or about May 7, 2018, the United States filed a motion to stay this civil forfeiture action for an initial period of 90 days (Doc. 28). In that motion, the United States averred and alleged certain facts and circumstances which related to an ongoing, parallel criminal investigation that justified a stay of the forfeiture action under 18 U.S.C. § 981(g)(1). This Court found that those facts and circumstances existed under section 981(g)(1) and granted the motion to stay until August 6, 2018 (Doc. 29). On or about August 2, 2018, the United States filed an unopposed second motion to stay this case for an additional period of 90 days, to and including November 5, 2018, (Doc. 35) which was granted by this Court (Doc. 36). On October 31, 2018, counsel for Matthew L. Torgeson filed an unopposed motion to extend the stay period to the current expiration date of February 4, 2019 (Doc. 39), which was granted by this Court (Doc. 40). The date of February 4 is the current expiration period for the stay of these proceedings.

3. There is a second related civil forfeiture action that involves essentially the same operative facts. *See* Case No. 18-6112. The Complaint in the second related matter was filed on July 19, 2018, and the United States filed a motion to stay that matter for 90 days (Doc. 47). This Court granted the motion in the related case and ordered the matter stayed until November 5, 2018 (Doc. 48). In the second case, the undersigned filed a motion to extend the stay period to February 4, 2019 (Doc. 49), which was granted by this Court. (Doc. 50). A motion similar to the instant motion will be filed in Case No. 18-6112 requesting an additional 90 time period for the expiration of the stay period in that case as well.

4. The parties agree that the legal reasons for the initial motion to stay still exist under 18 U.S.C. § 981(g)(1) as the United States continues to conduct a related criminal

investigation into the same operative facts that are at issue in both civil forfeiture matters. Thus, the reasons that justified the original stay motions and the motions to extend the stay period still remain which provide good cause to extend the stay period in this case for an additional 90-day period of time, to and including May 6, 2019.

5. The United States does not oppose this motion. Counsel for Claimants Mike Dingle, Monica Haavig and the undersigned on behalf of claimant Matthew Torgeson join in this motion and do not oppose or object to extending the stay period in this case for an additional 90 days, to and including May 6, 2019.

6. The parties further agree that Claimants may file answers to the Complaint within 10 days after the stay in this case is lifted.

WHEREFORE, based on the foregoing, Claimant Matthew Torgeson respectfully moves this Court for its order extending the stay period previously entered in this case for an additional period of 90 days, to and including May 6, 2019, and for any additional relief deemed proper in these circumstances.

Respectfully submitted,

GADDY LAW LLC

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 31<sup>st</sup> day of January, 2019, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ W. Brian Gaddy  
***Counsel for Claimant Torgeson***